



City of Racine

City Hall
730 Washington Ave.
Racine, WI 53403
www.cityofracine.org

Meeting Agenda - Final Common Council

Mayor John T. Dickert, Alderman Q.A. Shakoor, II, Alderman Michael Shields, Alderman Ronald D. Hart, Alderman Jim Kaplan, Alderman Dennis Wiser, Alderman Sandy Weidner, Alderman Terry McCarthy, Alderman Raymond DeHahn, Alderman Gregory Holding, Alderman Robert Mozol, Alderman O. Keith Fair, Alderman Melissa Kaprelian-Becker, Alderman James Morgenroth, Alderman Krystyna Sarrazin, Alderman Molly Hall

Tuesday, September 18, 2012

7:00 PM

Room 205, City Hall

- A. Call To Order
- B. Pledge of Allegiance To The Flag
- C. Approval of Journal of Council Proceedings (Minutes)
- D. Public Comments
- E. Communications

Refer to Finance and Personnel Committee, by Ald. Shakoor

[12-8130](#)

Subject: Communication from the Assistant Commissioner of Public Works/Operations requesting permission to accept a Focus on Energy Grant for upgrades to boiler burners that feed City Hall and the Safety Building (Grant Control No. 2012-025).

[12-8138](#)

Subject: Communication from the Public Health Administrator requesting permission to apply and accept \$64,991 from the Wisconsin Department of Health Services for Public Health Emergency Preparedness and Response (PHEP). (Grant Control #2012-029)

[12-8142](#)

Subject: Communication from the Public Health Administrator requesting permission to apply for and accept \$26,748 from the State of Wisconsin represented by its Division of Public Health of the Department of Health Services for Public Health Emergency Preparedness and Response - CRI. (Grant Control #2012-028)

[12-8143](#)

Subject: Communication from the Public Health Administrator requesting permission to apply for and accept \$99,034.53 from the

Root-Pike Watershed Initiative Network for water quality monitoring at 16 sites in the watershed. (Grant Control #2012-027)

[12-8144](#) **Subject:** Communication from the Interim Assistant Director of City Development submitting a request from the Board of Business Improvement District No. 4 - Douglas Avenue for approval of its 2013 Operating Plan.

[12-8145](#) **Subject:** Communication from the Interim Assistant Director of City Development submitting a request from the Board of Business Improvement District No. 3 - Uptown for approval of its 2013 Operating Plan.

[12-8147](#) **Subject:** Communication from the Public Health Administrator requesting permission to apply for and accept \$4,250 from the Bay Lake Regional Planning Commission to complete a beach sanitary survey project. (Grant Control #2012-026)

[12-8160](#) **Subject:** Communication from the Public Health Administrator requesting permission to accept \$1,000 from the Kenosha-Racine Bicycle Club for the Health Department's "Be Seen in Racine" public safety program.

[12-8163](#) **Subject:** Communication from the Alderman of the Thirteenth District requesting to discuss revising the interest rate for home owners to finance alley and sidewalk improvements.

Refer to Public Works and Services Committee, by Ald. Weidner

[12-8161](#) **Subject:** Communication from Cheri Kulland, McKinley Middle School Directing Principal, requesting to close off the south sidewalk of Rupert Boulevard from Chicago Street west to the cemetery during the 2012-2013 winter.

[12-8165](#) **Subject:** Communication from Charlie Manning, Commodore, Racine Yacht Club, requesting permission to use the Rooney Recreational Area open space on a temporary basis in case a portion of the space is needed to facilitate the upcoming dredging operation.

(ALSO REFER TO THE BOARD OF PARKS, RECREATION AND CULTURAL SERVICES)

Refer to Public Safety and Licensing Committee, by Ald. Holding

[12-7928](#) **Subject:** Communication from the Chief of Police requesting to discuss

the revision of Municipal Code Chapter 22-Businesses, Professions and Occupations, Article XXV - Pawnbrokers and Secondhand Article and Jewelry Dealers.

[12-8146](#)

Subject: Communication from the Director of Parks, Recreation and Cultural Services requesting that Change Order #3 and Final Payment be approved for Contract 31-11 (K1-033) Sam Johnson Parkway Upgrades.

[12-8167](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Divino Gelato Cafe Ltd., located at 245 Main Street., Lori A. Lester, Agent. (**1st District**)

Refer to Traffic Commission, by Ald. Weidner

[12-8122](#)

Subject: Communication from Denessa Redding (2530 Maple Grove Ave.) requesting the "No Parking on School Days 7:30 AM - 3:00 PM" signs be removed from her street.

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Shakoor

[12-8084](#)

Subject: Communication from the City Attorney submitting the claim of Joseph Miller for consideration.

Recommendation of the Finance & Personnel Committee on

9-10-12: The claim of Joseph Miller of 1907 Charles St, Racine, WI 53402, requesting reimbursement in the amount of \$575.00 for alleged damages arising from a grease plug in the sewer main serving his home which occurred on or about July 30, 2012 be denied.

Fiscal Note: N/A

[12-8102](#)

Subject:(Direct Referral) Communication from the Grant Facilitator requesting to accept the Second Chance Act Adult Offender Reentry Program for Planning and Demonstration 2012 Grant Announcement through the US Department of Justice. (Res. No. 12-3320)

Recommendation of the Finance & Personnel Committee on

9-10-12: Permission be granted for the Grant Facilitator to accept the Second Chance Act Adult Offender Reentry Program for Planning and Demonstration 2012 Grant Announcement through the US Department of Justice.

(Grant Control #2012-007)

Fiscal Note: There is a 50% in-kind and the cash match has been waived by the Attorney General for municipalities that are facing hardship. We will have to replace the cash match with in-kind match for a total of \$240,813.00. Our partners and part of the Grant Facilitator salary will provide the match.

[12-8096](#)

Subject: (Direct Referral) Communication from the Public Health Administrator requesting permission to authorize the Mayor and City Clerk to enter into an agreement with Wisconsin Humane Society for stray and impound animal shelter services, and to execute all necessary documents. (Res. No. 12-3321)

Recommendation of the Finance & Personnel Committee on

8-27-12: Defer the item until the next scheduled Finance & Personnel Committee meeting.

Recommendation of the Finance & Personnel Committee on

9-10-12: The Mayor and City Clerk enter into an agreement with Wisconsin Humane Society for stray and impound animal shelter services, and to execute all necessary documents.

Fiscal Note: The proposed cost to the City of Racine will be \$278,372.00 annually.

[12-8099](#)

Subject: Communication from the City Attorney submitting the claim of Dennis Parry for consideration.

Recommendation of the Finance & Personnel Committee on

9-10-12: The claim of Dennis Parry, 1006 Grand Ave #2, Racine, WI 53403, requesting reimbursement in the amount of \$1,746.00 for alleged damages arising from an investigation by police officers and the issuance of citations which occurred on or about July 30, 2012 be denied.

Fiscal Note: N/A

[12-8101](#)

Subject: communication from the City Attorney submitting the claim of Dawn Zens and Tim Zens for consideration.

Recommendation of the Finance & Personnel Committee on

9-10-12: The claim of Dawn & Tim Zens, 6745 Channel Rd Waterford, WI 53185, requesting reimbursement in the amount of \$160.00 for damage to their boat trailer which occurred while using the Fifth Street public boat launch on or about July 16, 2012 be denied.

Fiscal Note: N/A

Public Works and Services Committee Report, by Ald. Weidner[10-5185](#)

Subject: Communication from the Aldermen of the 1st and 2nd Districts requesting that bricks found during public construction projects be retained by the Department of Public Works for future repairs/maintenance of brick streets within the City.

Recommendation of the Public Works and Services Committee on 6-8-10: That the item be referred to the Committee of the Whole.

Recommendation of the Public Works and Services Committee on 9-11-12: That the communication be received and filed.

Fiscal Note: N/A

[10-5813](#)

Subject: (Direct Referral) Request from the Affirmative Action Human Rights Commission to increase the Racine First Provisions from 15% of work hours be conducted by residents of Census Tracts 1 through 5 in the City of Racine, to 30% of hours worked under qualifying programs with a minimum of 15% to be from Census Tracts 1 through 5, and that the affected contract amount be lowered from \$200,000.00 to \$150,000.00. Chapter 46 Finance, Article II, Section 46 - 41.

Recommendation of the Finance & Personnel Committee on

11-22-10: That this communication be referred to Public Works and Services Committee.

Recommendation of the Public Works and Services Committee on 1-1-11: Defer

Recommendation of the Public Works and Services Committee on 9-11-12: That the communication be received and filed.

Fiscal Note: N/A

[11-6278](#)

Subject: Communication from Doris Jacobson, 1631 C.A. Becker Drive and the 14th District Alderman regarding the water drainage problems causing ice build up on C.A. Becker.

Recommendation of the Public Works and Services Committee on 4-26-11: Defer

Recommendation of the Public Works and Services Committee on 9-11-12: That the communication be received and filed.

Fiscal Note: N/A

[11-6375](#)

Subject: Communication from the Aldermen of the 2nd, 3rd, 7th and 14th Districts wishing to discuss a moratorium on sidewalk jobs for 2011.

Recommendation of the Finance & Personnel Committee on 5-9-11: That this item be received and filed.

Recommendation of the Public Works and Services Committee on 5-10-11 and 5-31-11: Defer

Recommendation of the Public Works and Services Committee on 9-11-12: That the communication be received and filed.

Fiscal Note: N/A

[11-6379](#)

Subject: Communication from the Alderman of the 2nd District asking that sidewalk and street maintenance assessments to a specific property be made no sooner than five (5) years apart so that property owners are not overly burdened with multiple assessments.

Recommendation of the Public Works and Services Committee on 5-10-11 and 5-31-11: Defer

Recommendation of the Public Works and Services Committee on 9-11-12: That the communication be received and filed.

Fiscal Note: N/A

[11-6805](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 24-11 (K1-024), Spring Street Bridge Restoration, Lunda Construction Company, contractor.

Recommendation of the Public Works and Services Committee on 9-11-12: That the communication be received and filed.

Fiscal Note: N/A

[11-6879](#)

Subject: Preliminary Resolution 11-2712, dated August 30, 2011, for paving the alley between Jerome Boulevard to 20th Street; Taylor Avenue to Kearney Avenue (W).

Recommendation of the Public Works and Services Committee on 1-25-11: That the communication be deferred until after the 2012 public hearings.

Recommendation of the Public Works and Services Committee on

9-11-12: That the communication be received and filed.

Fiscal Note: N/A

[11-6892](#)

Subject: Communication from the Alderman of the 2nd District requesting to discontinue sidewalk assessments and to create a Special Revenue Fund for sidewalk maintenance and improvement.

Recommendation of the Public Works and Services Committee on 9-27-11 and 11-8-11: Defer

Recommendation of the Public Works and Services Committee on 9-11-12: That the communication be received and filed.

Fiscal Note: N/A

[12-8072](#)

Subject: Communication from the Alderman of the 9th District, on behalf of Kristin Wilson (2819 1/2 Washington Ave.) requesting a preliminary resolution for paving of the alley bounded by Washington Ave. to Wright Ave; Quincy Ave. to Thurston Ave. (N-S). This is to be considered in the 2013 Public Hearings. (Res. No. 12-3326)

Recommendation of the Public Works and Services Committee on 9-11-12: That the prayer of the petitioners be granted and that a preliminary resolution be introduced for the paving of the north-south alley bounded by Washington Avenue, Quincy Avenue, Thurston Avenue and Wright Avenue.

Fiscal Note: This is an assessable alley project and, therefore, all costs will be paid for by the abutting property owners.

[12-8097](#)

Subject: Communication from the Living Light Community Center, 740 College Avenue, requesting permission to close Eighth Street from Park Avenue to College Avenue, on Saturday, September 29, 2012, for a community block party. (Res. No. 12-3322)

Recommendation of the Public Works and Services Committee on 9-11-12: That Living Light Community Center be granted permission to close Park Avenue from 7th Street to 8th Street, on Saturday, September 29, 2012, from 8:00 a.m. to 6:00 p.m., for a community block party.

Further recommends that permission be granted with the following stipulations:

A. A hold harmless agreement be executed and a \$62.50 processing fee paid..

- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$250.00 special event fee.

Further recommends that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event.

12-8106

Subject: Communication from Bonnie, Dale & Adam Nelson, owner's of American Grill and Steamworks, requesting permission to set-up a hot dog cart on the sidewalk at 303 Main Street on Friday's and Saturday's from 9 p.m. to shortly after bar close. (Res. No. 12-3324)

Recommendation of the Public Works and Services Committee on 9-11-12: That Nelson & Son, LLC, dba American Grill & Steamworks, be granted permission to operate a hot dog vending cart on City sidewalk areas with the following stipulations:

- A. The applicant shall meet all requirements of the City Health Department and the City Clerk's office;
- B. The cart can only be located in front of city owned property, on the widened bump outs, or fronting other publicly owned property;
- C. Sidewalks must be a least 10' wide and vendor shall maintain at least a 5' clear zone at all times for pedestrians;
- D. The cart shall be removed nightly from the downtown area;
- E. It is permitted to stop temporarily to make a sale as requested by a customer. However, once the sale is completed, the vendor shall move the cart to its approved location.

Fiscal Note: The Peddler's License through the City Clerk's office will generate certain funds for the City of Racine.

12-8121

Subject: (Direct Referral) Communication from the St. Paul Missionary Baptist Church, 1120 Grand Avenue, requesting permission to close the 1100 block of Center Street on Saturday, September 29, 2012, from 9 a.m. until 6 p.m. for a special event. (Res. No. 12-3323)

Recommendation of the Public Works and Services Committee on 9-11-12: That St. Paul Missionary Baptist Church be granted permission to close 11th Street from Grand Avenue to Center Street and Center Street from 11th Street to 12th Street on Saturday, September 29, 2012, from 9:00 a.m. to 6:00 p.m., for a church event.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid..
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$300.00 special event fee.

Further recommends that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event.

[12-8129](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 43-12 (K2-052), Masonry Restoration - City Hall and City Hall Annex, RAZA LLC, contractor. (Res. No. 12-3327)

Recommendation of the Public Works and Services Committee on 9-11-12: That Change Order No. 1 on Contract 43-12 (K2-052), Masonry Restoration - City Hall and City Hall Annex, RAZA LLC, contractor, be approved in the amount of \$10,010.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from the following accounts:

\$ 6,930.00 - Account 991.210.5010, Safety Building-Structural Leak Repairs
\$ 3,080.00 - Account 255.992.5010, Library HVAC Upgrade
\$ 10,010.00 - Total

[12-8132](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 1 to Contract 46-12 (K2-057), Festival Hall Roof Replacement (R1), Carlson Racine Roofing & Sheet Metal, Inc., contractor. (Res. No.

12-3328)

Recommendation of the Public Works and Services Committee on 9-11-12: That Change Order No. 1 on Contract 46-12 (K2-057), Festival Hall - Roof Replacement (R1), Carlson Racine Roofing & Sheet Metal, Inc., contractor, be approved in the amount of \$6,400.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 991.913.5040, Railroad Depot - West Platform.

12-8135

Subject: Communication from St. Edward Parish requesting to close 15th Street and the alley between West Blvd. and Grove Avenue for their Fall Fun Fest from September 21, 2012 to September 23, 2010. (Res. No. 12-3325)

Recommendation of the Public Works and Services Committee on 9-11-12: That St. Edward's Parish be granted permission to close 15th Street and the alley from West Boulevard to Grove Avenue, from 3:00 p.m. Thursday, September 20, 2012, to 2:00 p.m. Sunday, September 23, 2012, for a church festival.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid..
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$300.00 special event fee.

Further recommends that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event.

Public Safety and Licensing Committee Report, by Ald. Holding

12-8087

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Paul's Pub at 2416 Lathrop Ave., Paul Lueke, Agent. (Previously licensed as English Room) (**11th District**)

Recommendation of the Public Safety and Licensing Committee on 9-11-12: The Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Paul's Pub at 2416 Lathrop Ave., Paul Lueke, Agent be approved.

Fiscal Note: N/A

[12-8134](#)

Subject: (Direct Referral) Draft Ordinance of revisions to the Hawkers and Peddlers License

Recommendation of the Public Safety and Licensing Committee on 9-12-12: That Ordinance 09-12 be adopted as presented.

Fiscal Note: N/A

City Plan Commission Report, by Ald. Wiser

[12-7946](#)

Subject: (Direct Referral) Request from James Janssen, representing Marcus Theaters of Wisconsin, LLC for conditional use approval to re-cover and store theater seating at 5101 Washington Avenue. (PC-12)

Recommendation of the City Plan Commission on 9-14-12: That the item be received and filed.

Fiscal Note: N/A

[12-8133](#)

Subject: (Direct Referral) A request from Sean Fletcher and Kaitlin Lesperance for a conditional use permit to open and operate a tattoo establishment at 312 Sixth Street. (PC-12) (Res. No. 12-3330)

Recommendation of the City Plan Commission on 9-14-12: That the item be approved subject to conditions.

Fiscal Note: N/A

[12-8166](#)

Subject: (Res. 12-3302) A resolution granting the vacation of the unimproved portion of Cleveland Avenue right-of-way between Republic Avenue and the Wisconsin Electric Power Company at 3330 19th Street.

Recommendation of the City Plan Commission on 9-14-12: That a 20 foot north-south utility easement be retained to accommodate access to the full length of the existing sanitary sewer main, and that appropriate access to said easement be afforded the sewer utility.

Further that the vacation is not in conflict with City plans and programs and that Resolution 12-3302 be adopted.

Fiscal Note: N/A

Housing Loan Board Report, by Ald. Wisner

[12-8149](#)

Subject: (Direct Referral) Request of the Director of City Development to accept the offer of Tasha Coleman to purchase 900 Park Avenue. (Res. No. 12-3333)

Recommendation of the Loan Board of Review on September 13, 2012: To approve the request of the Director of City Development to accept the offer of Tasha Coleman to purchase 900 Park Avenue, with contingencies as listed on attachment.

Fiscal Note: The property was acquired and rehabilitated through the NSP-1 program. The city will receive \$63,900 in proceeds minus commission and closing costs.

Redevelopment Authority of the City of Racine Report, by Ald. Shakoor.

[12-7778](#)

Subject: (Direct Referral) Communication from Ryan Douglas submitting a proposal for the Redevelopment Authority owned property at 1511 Washington Avenue.

Recommendation of the Redevelopment Authority on 9-4-12: That pursuant to section 66.1333(9)(a)1.d., Wisconsin Statutes, the Common Council approve the action of the Authority granting a three-month option on the property at 1511 Washington Avenue to Ryan Douglas of LandQuest of Wisconsin. (Res. No. 12-3333)

Fiscal Note: 1511 Washington Avenue was offered through a Request for Proposals (RFP) for one dollar (\$1.00) contingent on the purchaser having a redevelopment plan consistent with the Uptown Plan. The option will allow Mr. Douglas to further refine his designs and cost estimates, negotiate financing from lenders and other funding sources, and obtain any necessary regulatory approvals. The Authority will receive a \$1,000.00 earnest money option fee.

[12-7869](#)

Subject: Communication from the Alderman of the 11th District requesting that the façade grant program be amended to eliminate from consideration businesses that were part of a Business Improvement District for 6 years from the date on which the district was dissolved.

Recommendation of the Redevelopment Authority on 9-4-12: That the item be received and filed.

Fiscal Note: N/A

[12-8105](#)

Subject: (Direct Referral) Request of the Director of City Development that the option granted for 1418 Washington Avenue be extended for 90 days. (Res. No. 12-3331)

Recommendation of the Redevelopment Authority on 9-4-12: That the Common Council approve the 90-day extension of the option granted to Jessica Servantez for the property at 1418 Washington Avenue. The Common Council approved the original option on June 19, 2012 by resolution 12-3200.

Fiscal Note: N/A

Committee of the Whole Report, by Ald. Kaplan.

[12-8141](#)

Subject: (Direct Referral) Recommended modifications to Employee Health Care Premium Equivalency Payments beginning with the 2013 Budget year. (Res. No. 12-3337)

Recommendation of the Committee of the Whole on 09-12-2012: the Item be approved.

Fiscal Note: Savings are projected to be \$844,423 for the 2013 budget year.

[12-8137](#)

Subject: (Direct Referral) Recommended modifications to Individual Flexible Spending Plans beginning with the 2013 Budget year. (Res. No. 12-3334)

Recommendation of the Committee of the Whole on 09-12-2012: that the Item be approved.

Fiscal Note: Savings are projected to be \$175,184 by discontinuing the benefit, and costs for administering the Cafeteria 125 Plan will increase \$2,217 for the 2013 budget year.

[12-8140](#)

Subject: (Direct Referral) Recommended modifications to the City's Health Care member share beginning with the 2013 budget year. (Res. No. 12-3336)

Recommendation of the Committee of the Whole on 09-12-2012: the Item be approved.

Fiscal Note: Savings are projected to be \$947,941 for the 2013 budget year.

[12-8139](#)

Subject: (Direct Referral) Recommended modifications to City funded Life Insurance Policies beginning with the 2013 Budget year. (Res. No. 12-3335)

Recommendation of the Committee of the Whole on 09-12-2012:
the Item be approved.

Fiscal Note: Savings are projected to be \$14,800 for the 2013 budget year.

Mayor's Report, by Ald. Kaplan.

[12-8168](#)

Subject: Communication from Mayor Dickert nominating appointments/reappointments to the following committees, boards and/or commissions:

Appoint Melvin Hargrove 4144 LaSalle St. Racine, 53402 to the Racine City Plan Commission, filling the current vacancy expiring May 1, 2013

Board of Health Report, by Ald. Mozol.

[12-8036](#)

Subject: Discussion of proposed ordinance prohibiting smoking in outdoor areas.

Recommendation of the Board of Health on 9-11-12: That the item be referred to the Committee of the Whole.

Board of Parks, Recreation, and Cultural Services Report, by Ald. McCarthy

[12-7702](#)

Subject: Communication from Gerald's Smokehouse Cuisine to hold their 2nd Year Anniversary Block Party Car and Bike Show on Saturday, July 14, 2012, from 12:00 p.m. to 6:00 p.m. (Res. 12-3162)

Recommendation of the Public Works and Services Committee on 5-29-12: That Gerald's Smokehouse Cuisine be granted permission to close Ann Street from Washington Avenue to 16th Street on Saturday, July 14, 2012, from 12:00 p.m. to 6:00 p.m., in conjunction with the 2nd Year Anniversary Block Party Car and Bike Show, with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid;
- B. A liability insurance certificate be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;

- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event;
- E. No alcoholic beverages will be sold and/or dispensed within the street right-of-way; and
- F. The sponsor shall pay a \$250.00 special event fee.

Further recommends that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs to various city departments, on a regular shift basis, to assist in implementing this event.

Recommendation of the Board of Parks, Recreation and Cultural Services on 9-12-12: To receive and file the communication from Gerald's Smokehouse Cuisine to hold their 2nd Anniversary Block Party Car and Bike Show on Saturday, July 14, 2012.

[12-7793](#)

Subject: Communication from Alderman Jim Kaplan and Alderman Raymond DeHahn and the members of the Affirmative Action Human Relations Commission recommending the renaming of Marquette Street Park to William Dyess Park.

Recommendation of the Board of Parks, Recreation and Cultural Services 7-11-12: To defer.

Recommendation of the Board of Parks, Recreation and Cultural Services on 9-12-12: To deny the recommendation from Alderman Jim Kaplan, Alderman Raymond DeHahn and the members of the Affirmative Action Human Relations Commission to re-name Marquette Street Park to William Dyess Park.

[12-8091](#)

Subject: (Direct Referral) Communication from Human Capital Development Corp., Inc. requesting permission to use city property for added training and carpentry hands-on projects. (Res. No. 12-3301)

Recommendation of the Public Works Services Committee on 8-28-12: That Human Capital Development Corp., Inc. be granted permission to utilize the Park Service Garage, 712 Rickeman Ct., and Fire Dept Training Tower 700 Rickeman Ct. subject to Human Capital Development Corp., Inc. providing proof of Liability Insurance to the City.

Fiscal Note: Not Applicable.

Recommendation of the Board of Parks, Recreation & Cultural Services on 9-12-12: To enter into an agreement with Human Capital

Development Corporation, Inc. to utilize a portion of the Parks building and city grounds at 712 Rickeman Ct. for training.

Fiscal Note: N/A

G. Consent Agenda - Resolutions

Res.12-3301 Human Capital Development Corp., Inc.

Resolved, that the Board of Parks, Recreation & Cultural Services will enter into an agreement with Human Capital Development Corporation, Inc. to utilize a portion of the Parks building and City grounds at 712 Rickeman Ct. for training.

Fiscal Note: N/A

Sponsors: Terry McCarthy and Melissa Kaprelian-Becker

Res.12-3302 Ryan LaFave 3543 Republic Avenue, requesting to purchase the lot west of his property.

Resolved, that since public interest requires it, that the unimproved portion of Cleveland Avenue right-of-way between Republic Avenue and the Wisconsin Electric Power Company at 3330 19th Street, be vacated.

Further resolved, that on September 14, 2012 the City Plan Commission reviewed the proposed vacation and Resolution 12-3302 is adopted as the vacation is not in conflict with City plans and programs; and

Further resolved, that a 20 foot north-south utility easement be retained to accommodate access to the full length of the existing sanitary sewer main, and that appropriate access to said easement be afforded the sewer utility.

Fiscal Note: Not applicable.

Sponsors: Sandy Weidner

Res.12-3320 Second Chance Act Adult Offender Reentry Program

Resolved, that permission is granted for the Grant Facilitator to accept the Second Chance Act Adult Offender Reentry Program for Planning and Demonstration 2012 Grant Announcement through the US Department of Justice. (Grant Control #2012-007)

Fiscal Note: There is a 50% in-kind and the cash match has been waived by the Attorney General for municipalities that are facing hardship. We will have to replace the cash match with in-kind match for a total of \$240,813.00. Our partners and part of the Grant Facilitator

salary will provide the match.

Sponsors: Q.A. Shakoor, II

Res.12-3321 Wisconsin Humane Society

Resolved, that the Mayor and City Clerk enter into an agreement with Wisconsin Humane Society for stray and impound animal shelter services, and to execute all necessary documents.

Fiscal Note: The proposed cost to the City of Racine will be \$278,372.00 annually.

Sponsors: Q.A. Shakoor, II

Res.12-3322 Living Light Community Center

Resolved, that Living Light Community Center is granted permission to close Park Avenue from 7th Street to 8th Street, on Saturday, September 29, 2012, from 8:00 a.m. to 6:00 p.m., for a community block party.

Further resolved, that permission is granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$250.00 special event fee.

Further resolved, that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event.

Sponsors: Sandy Weidner

Res.12-3323 St. Paul Missionary Baptist Church

Resolved, that St. Paul Missionary Baptist Church is granted permission

to close 11th Street from Grand Avenue to Center Street and Center Street from 11th Street to 12th Street on Saturday, September 29, 2012, from 9:00 a.m. to 6:00 p.m., for a church event.

Further resolved, that permission is granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid.
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$300.00 special event fee.

Further resolved, that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event.

Sponsors: Sandy Weidner

[Res.12-3324](#) American Grill and Steamworks Hot Dog Cart on Sidewalk at 303 Main Street on Fridays and Saturdays from 9:00 p.m. to shortly after bar close

Resolved, that Nelson & Son, LLC, dba American Grill & Steamworks, is granted permission to operate a hot dog vending cart on City sidewalk areas with the following stipulations:

- A. The applicant shall meet all requirements of the City Health Department and the City Clerk's office;
- B. The cart can only be located in front of city owned property, on the widened bump outs, or fronting other publicly owned property;
- C. Sidewalks must be a least 10' wide and vendor shall maintain at least a 5' clear zone at all times for pedestrians;
- D. The cart shall be removed nightly from the downtown area;
- E. It is permitted to stop temporarily to make a sale as requested by a

customer. However, once the sale is completed, the vendor shall move the cart to its approved location.

Fiscal Note: The Peddler's License through the City Clerk's office will generate certain funds for the City of Racine.

Sponsors: Sandy Weidner

Res.12-3325 St. Edward Parish

Resolved, that St. Edward's Parish is granted permission to close 15th Street and the alley from West Boulevard to Grove Avenue, from 3:00 p.m. Thursday, September 20, 2012, to 2:00 p.m. Sunday, September 23, 2012, for a church festival.

Further resolved, that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed and a \$62.50 processing fee paid..
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor.
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.
- E. The sponsor shall pay a \$300.00 special event fee.

Further resolved, that the Commissioner of Public Works, City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event.

Sponsors: Sandy Weidner

Res.12-3326 PRELIMINARY RESOLUTION FOR ALLEY PAVING

Preliminary - Ten (10) Year
Benefits and Damages

RESOLVED, by the Common Council of the City of Racine, Wisconsin:

1. The Common Council hereby declares its intention to exercise its power under s. 66.0703, Wisconsin Statutes, to levy special

assessments upon property within the following described area for benefits conferred upon such property by improvement of the following street(s):

All property fronting upon both sides:

PORTLAND CEMENT CONCRETE PAVING

Alley bounded by Washington Ave. to Wright Ave.; Quincy Ave. to Thurston Ave. (NS)

2. Said public improvement shall consist of PORTLAND CEMENT CONCRETE PAVING.

3. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall not be greater than the benefits accruing thereto from said improvements.

4. The assessments against any parcel may be paid in cash or in ten (10) annual installments.

5. The Commissioner of Public Works is directed to prepare a report consisting of:

a. Preliminary or final plans and specifications for said improvement.

b. An estimate of the entire cost of the proposed work or improvement.

c. An estimate, as to each parcel of property within the assessment district, of:

(1) The assessment of benefits to be levied.

(2) The damages to be awarded for property taken or damaged.

(3) The net amount of such benefits over damages or the net amount of such damages over benefits.

Upon completing such report, the Commissioner of Public Works is directed to file a copy thereof on the City Clerk's Office for public inspection.

6. Upon receiving the report of the Commissioner of Public Works, the City Clerk is directed to give a Class 1 notice of a public hearing on such report as specified in §. 66.60(7), Wisconsin Statutes.

The hearing shall be held at the Council Chambers in the City Hall at a time set by the Clerk in accordance with §. 66.0703 (7)(a), Wisconsin Statutes.

Fiscal Note: This is an assessable alley project and, therefore, all costs will be paid for by the abutting property owners.

Sponsors: Sandy Weidner

Res.12-3327 Change Order No. 1 to Contract 43-12 (K2-052), Masonry Restoration - City Hall and City Hall Annex

Resolved, that Change Order No. 1 on Contract 43-12 (K2-052), Masonry Restoration - City Hall and City Hall Annex, RAZA LLC, contractor, is approved in the amount of \$10,010.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from the following accounts:

\$ 6,930.00 - Account 991.210.5010, Safety Building-Structural Leak Repairs

\$ 3,080.00 - Account 255.992.5010, Library HVAC Upgrade

\$ 10,010.00 - Total

Sponsors: Sandy Weidner

Res.12-3328 Change Order No. 1 to Contract 46-12 (K2-057), Festival Hall Roof Replacement (R1)

Resolved, that Change Order No. 1 on Contract 46-12 (K2-057), Festival Hall - Roof Replacement (R1), Carlson Racine Roofing & Sheet Metal, Inc., contractor, is approved in the amount of \$6,400.00.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 991.913.5040, Railroad Depot - West Platform.

Sponsors: Sandy Weidner

Res.12-3330 Tattoo Establishment at 312 Sixth Street

Resolved, that the request by Sean Fletcher and Kaitlin Lesperance to operate a tattoo establishment at 312 Sixth Street is approved subject to the following conditions:

a. That the plans presented to the Plan Commission on September 12, 2012, be approved subject to the conditions contained herein.

b. That all license requirements with the State Department of Health and

Family Services and with the City of Racine be obtained, complied with, and kept current.

c. That all trash and recyclables be kept in closed containers and stored in the building until the scheduled pick-up day. All sharps or other equipment used in administering tattoos shall be disposed of in accordance with any state and local regulations.

d. That no loitering be allowed in or around the building.

e. That the hours of operation may be from 11:00 a.m. - 8:00 p.m. seven days a week.

f. That the tattoo stations be screened from view from the waiting area and exterior of the business.

g. That the sale of food or drink not be allowed.

h. That all signs shall be professionally made, comply with zoning ordinance requirements, and be approved by the Downtown Design Review Commission.

i. That any required building modifications required from the Building Department or the Downtown Design Review Commission be completed no later than December 1, 2012. If not completed, a financial surety shall be provided to the City in the amount to be determined by a minimum of two (2) bids supplied by the applicant. The surety shall be submitted in a format as authorized and approved by the City Attorney's office.

j. That all codes and ordinances be complied with and required permits acquired.

k. That no major changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common Council.

l. That this conditional use permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Dennis Wiser

[Res.12-3331](#) 1418 Washington Avenue

Resolved, that the Common Council approves the 90-day extension of

the option granted to Jessica Servantez for the property at 1418 Washington Avenue. The Common Council approved the original option on June 19, 2012 by resolution 12-3200.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor, II

[Res.12-3332](#) 1511 Washington Avenue

Resolved, that pursuant to section 66.1333(9)(a)1.d., Wisconsin Statutes, the Common Council approves the action of the Authority granting a three-month option on the property at 1511 Washington Avenue to Ryan Douglas of LandQuest of Wisconsin.

Fiscal Note: 1511 Washington Avenue was offered through a Request for Proposals (RFP) for one dollar (\$1.00) contingent on the purchaser having a redevelopment plan consistent with the Uptown Plan. The option will allow Mr. Douglas to further refine his designs and cost estimates, negotiate financing from lenders and other funding sources, and obtain any necessary regulatory approvals. The Authority will receive a \$1,000.00 earnest money option fee.

Sponsors: Q.A. Shakoor, II

[Res.12-3333](#) 900 Park Avenue

Resolved, that the request of the Director of City Development to accept the offer of Tasha Coleman to purchase 900 Park Avenue, with contingencies as listed on attachment is approved.

Fiscal Note: The property was acquired and rehabilitated through the NSP-1 program. The city will receive \$63,900 in proceeds minus commission and closing costs.

Sponsors: Dennis Wiser

H. Resolutions

[Res.12-3329](#) Final - Ten (10) Year
Benefits & Damages

WHEREAS, the Public Works & Services Committee of the Common Council of the City of Racine, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 5:30 P.M. on the 11th day of September, 2012 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Commissioner of Public Works on the proposed improvement of:

BITUMINOUS CONCRETE PAVING

Victorian Drive - Emstan Hills Road to Maryland Avenue

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Racine as follows:

1. That the report of the Commissioner of Public Works pertaining to the construction of the above described public improvements, including plans and specifications therefore, as modified, is hereby adopted and approved.
2. That the Commissioner of Public Works is directed to advertise for bids and to carry out the work of such improvement in accordance with the report of the Commissioner of Public Works.
3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report.
4. That benefits and damages shown on the report, as modified, are true and correct, have been determined on a reasonable basis; do not exceed the value accruing to the property therefrom; and are hereby confirmed.
5. That the assessments for all projects included in said report are hereby combined as a single assessment, but any interested property owner shall be entitled to object to each assessment separately or both assessments jointly for any purpose or purposes.
6. That the assessments may be paid in cash or if any assessments are over \$200.00 it may be paid in ten (10) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of 9.6% per annum.
7. The City Clerk is directed to publish this resolution in the official newspaper of the City of Racine as a Class I notice in the assessment district.
8. The Clerk is further directed to mail a copy of this resolution and a statement of the final assessment against his property, to every property owner whose name appears on the assessment roll, whose post office address is known or can with reasonable diligence be ascertained.

Sponsors: Sandy Weidner

Res.12-3334 Modifications to Individual Flexible Spending Plans Beginning With the 2013 Budget Year

Resolved, that that the item is approved.

Fiscal Note: Savings are projected to be \$175,184 by discontinuing the benefit, and costs for administering the Cafeteria 125 Plan will increase \$2,217 for the 2013 budget year.

Sponsors: Jim Kaplan

[Res.12-3335](#) Modifications to City Funded Life Insurance Policies Beginning With the 2013 Budget Year

Resolved, that the item is approved.

Fiscal Note: Savings are projected to be \$14,800 for the 2013 budget year.

Sponsors: Jim Kaplan

[Res.12-3336](#) Modifications to the City's Health Care Member Share Beginning With the 2013 Budget Year

Resolved, that the item is approved.

Fiscal Note: Savings are projected to be \$947,941 for the 2013 budget year.

Sponsors: Jim Kaplan

[Res.12-3337](#) Modifications to Employee Health Care Premium Equivalency Payments Beginning With the 2013 Budget Year

Resolved, that the item is approved.

Fiscal Note: Savings are projected to be \$844,423 for the 2013 budget year.

Sponsors: Jim Kaplan

I. Adjourn

Office of The City Clerk

If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 636-9171 at least 48 hours prior to this meeting.